S.B.CRIMINAL MISC. BAIL APPLICATION NO.3507/06

Date : 17.08.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. J. Gehlot for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicant submits that in the instant case a cheque was offered by the complainant to the applicant on account of some business transaction and when the cheque was presented in the Bank it was dishonored, therefore, a complaint was filed on which cognizance has been taken and the matter is pending before the competent court. His submission is that when complainant came to know that a complaint has been filed against him, he lodged false FIR against the applicant, therefore, the applicant may be enlarged on bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

I have considered the submissions made before me and carefully gone through the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to grant anticipatory bail to the applicant. Accordingly, it is directed that in the event of arrest of applicant Baldev Singh son of Atma Ram by I.O./S.H.O. in FIR No.99/2006 P.S. Khivsar, District Nagaur, he shall be released on bail provided he furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing

such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

vijayant